REMARKS

Applicants have studied the Final Office Action dated October 22, 2010 and have made amendments to the claims. Claims 1-46, 49, 50, 54, 55, 57 and 58 have been canceled without prejudice. Claims 47, 51, 52 and 56 have been amended. No new matter has been added as the amendments have support in the specification as originally filed. It is submitted that the application, as amended, is in condition for allowance. Reconsideration and is respectfully requested.

Substance of Interview

As a preliminary matter, Applicants gratefully acknowledge the courtesies extended by Examiner Richard G. Keehn and Primary Examiner Yasin Barqadle in a face-to-face conference with Applicants' representative, Lew Macapagal, which took place on December 1, 2010. The Examiners' comments and explanations were helpful and very much appreciated. Pursuant to M.P.E.P. § 713.04, Applicants provide the following remarks.

Prior to the interview, the Examiners were provided with a proposed Amendment, which was similar in some parts with the present Amendment. Independent claim 47 of the present application was discussed with regard to the Weast and Runkis references. Applicants sought to understand the Examiners' interpretation of the present application. No agreement was reached.

Objection to the Specification

The specification was objected to because the independent claims recite a different location mode, but a different location mode is not described in the disclosure, nor in the claims.

Accordingly, the claims have been amended to remove the recitation of "different location mode."

Rejections under 35 U.S.C. § 112

Claims 47, 52, 57 and 58 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Particularly, the Examiner stated on page 3 of the Final Office Action that the limitations of "a different location mode," "a first command," "a second command," and "wherein the control device requests the server to transmit the stored

transport state values and the stored rendering state values to the control device" are not taught by the specification of the present application as originally filed. This rejection is respectfully traversed.

With this paper, claims 57 and 58 have been canceled without prejudice. Therefore, the rejections with respect to claims 57 and 58 are now moot. Withdrawal of the stated rejections to claims 57 and 58 is believed proper and respectfully requested.

Applicants respectfully submit that claims 47 and 52 have been amended to recite limitations that are supported by the specification as originally filed. First, the term "a different location mode" has been amended to recite "a push mode." Moreover, the limitation starting with "wherein the control device requests ..." has been amended to recite "receiving the stored transport state information and the stored rendering state information from the server." Support for this limitation can be found in paragraphs [0030]-[0031] of the published application (US 2007/0112932 A1), for example.

Applicants further assert that the terms "a first command" and "a second command" have support in the specification as originally filed. Applicants respectfully note that paragraph [0038] and FIGS. 2 and 3 of the published application discusses an "AVT::StateSet( ) action" which relates to the "first command" and an "RCS::StateSet( ) action" which relates to the "second command." Therefore, withdrawal of the stated rejections to claims 47 and 52 is believed proper and respectfully requested.

Claims 47, 52, 57 and 58 were also rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, the Examiner stated on page 4 of the Final Office Action that the limitation "current" is a relative term that allegedly renders the claim indefinite. Furthermore, the Examiner asserted that there is no description of the "different location mode" that would allow one of ordinary skill in the art to understand how the different location mode operates.

As stated above, claims 57 and 58 have been canceled without prejudice and, thus, the rejections to claims 57 and 58 are now moot. Therefore, withdrawal of the stated rejections to claims 57 and 58 is believed proper and respectfully requested.

Applicants respectfully submit that the terms "current" and "different location mode" have been removed from claims 47 and 52 and, therefore, withdrawal of the stated rejections to claims 47 and 52 is believed proper and respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 47-58 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2004/0243700 A1 to Weast (hereinafter "Weast") in view of US 2003/0046338 A1 to Runkis (hereinafter "Runkis"). This rejection is respectfully traversed.

With this paper, claims 49, 50, 54, 55, 57 and 58 have been canceled without prejudice. Thus, the rejections to claims 49, 50, 54, 55, 57 and 58 are now moot. Therefore, withdrawal of the stated rejections to claims 49, 50, 54, 55, 57 and 58 is believed proper and respectfully requested.

Independent claims 47 and 52 are directed toward a method for controlling content playback related information in a network and have been amended to recite "transmitting, when playback of the media content by the playing device is paused, a request to the playing device to transmit...the rendering state information pertaining to a volume value of the paused media content to the at least one control device." Support for the amendment can be found in paragraphs [0030, 0038, 0041] of the published application (US 2007/0112932 A1), for example.

Applicants respectfully recognize that paragraph [0086] of Weast discloses facilitating a user to control rendering, including increasing or decreasing "volume." However, Applicants' review of Weast finds that this reference does not teach the indicated amendment to independent claims 47 and 52. Provided below is paragraph [0086] of Weast:

> [0086] FIG. 8 illustrates an example screen shot of an augmented user interface of a file system, through which rendering of media contents 132 available from UPnP media servers 104 by selected ones of UPnP media renderers 106 may be controlled by a user of control point device 102, in accordance with yet another embodiment. As illustrated, regardless of the method the rendering of a media content 132 of interest is initiated, media related services 112 may further facilitate a user in controlling the rendering. For examples, pausing, stopping, restarting, increasing volume, decreasing volume, and so forth, may be supported through a pop up control panel like interface 802. (Emphasis added.)

An example of the "media related services 112" is also set out in paragraph [0103] of Weast provided below:

[0103] In various embodiments, media related services 112 further facilitate a user in controlling the rendering, e.g. temporarily suspending the rendering, resuming thereafter, increasing or decreasing volume, and so forth, block 1010. Similar to the various earlier described services, controlling of a media renderer 106 is performed in accordance with protocols and services specified in the earlier identified UPnP Specification. (Emphasis added.)

Another example of the "block 1010" is also set out in the "operational flow" of FIG. 10 of Weast provided below:
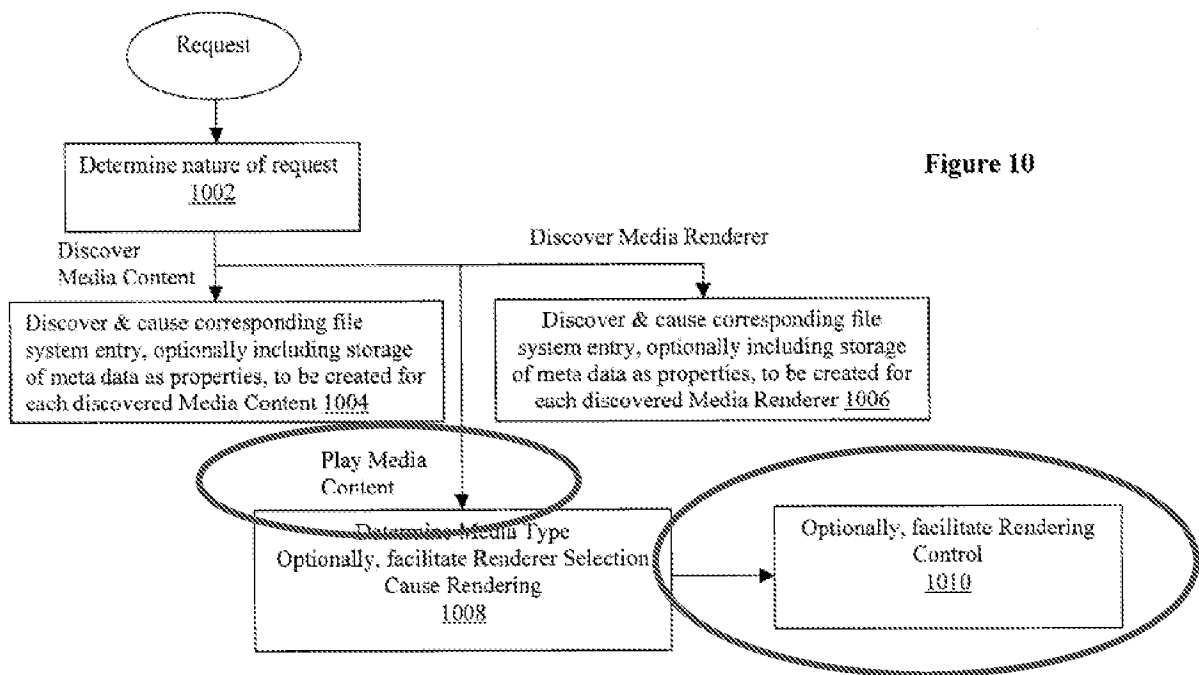

Figure 10

In view of the foregoing passages and figure, Applicants respectfully note that the passages and figure simply state that further rendering control such as increasing or decreasing volume via a user interface can be performed only when media content is being played. There is no discussion relating to "transmitting, when playback of the media content by the playing device is paused, a request to the playing device to transmit...the rendering state information pertaining to a volume value of the paused media content to the at least one control device," as required by independent claims 47 and 52.

Furthermore, the "pop-up control panel like interface 802" of Weast provides controls for a user to either increase or decrease a volume of content being rendered by a media renderer of Weast. This strongly suggests that the media renderer is receiving rendering information from

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the user via the interface to control the volume, and not transmitting the rendering information to a controller.

Moreover, the rendering control of Weast to increase or decrease the volume is operational only when the media content is being played by the media renderer. This suggests that Weast teaches away from the limitation "paused media content" since the media related services of Weast pertain to real-time control of content rendering.

Although there is mere mention of volume in Weast, the volume instead pertains to content being played rather than "paused media content." Applicants respectfully submit that merely controlling the volume of content being played via a user interface (Weast) is not the same as "transmitting, when playback of the media content by the playing device is paused, a request to the playing device to transmit…the rendering state information pertaining to a volume value of the paused media content to the at least one control device" (claims 47 and 52). Weast therefore fails to teach at least this element of independent claims 47 and 52.

Applicants further note that independent claims 47 and 52 have been amended to recite "requesting the server to store in the server, the transport state information transmitted from the playing device to the at least one control device, and the rendering state information including the volume value transmitted from the playing device to the at least one control device." Support for the amendment can be found in paragraphs [0030, 0038] of the published application (2007/0112932 A1), for example.

As stated above, Applicants recognize that paragraph [0086] of Weast mentions "volume"; however, Applicants respectfully submit that Weast fails to teach the amended limitations of claims 47 and 52.

Applicants respectfully note that paragraph [0086] of Weast states that the volume of content being rendered can be supported only by the control panel interface. There is no discussion relating to "requesting the server to store in the server, the transport state information transmitted from the playing device to the at least one control device, and the rendering state information including the volume value transmitted from the playing device to the at least one control device" as required by independent claims 47 and 52.

Moreover, the volume of Weast is used only to control the rendering of content being played, which suggests that Weast teaches away from storing the volume since the rendering control is performed by the user only when the content is being played.

Lastly, the control panel interface of Weast sends commands to the media renderer of Weast to control the rendering of content being played, which strongly suggests that the volume controls are sent only to the media renderer. Applicants submit that that using the control panel interface to merely adjust volume settings in real-time of content being played (Weast) is not the same as "requesting the server to store in the server, the transport state information transmitted from the playing device to the at least one control device, and the rendering state information including the volume value transmitted from the playing device to the at least one control device" (claims 47 and 52). Weast therefore fails to teach at least this element of independent claims 47 and 52.

Applicants also submit that independent claims 47 and 52 have been amended to recite "wherein the media content is streamed from the server to the playing device according to the set transport state information such that the media content is streamed from the paused part of the media content and is rendered in the playing device according to the set rendering state information such that the playing device renders the streamed media content using the stored volume value transmitted from the server." Support for the amendment can be found in paragraphs [0031, 0032, 0038] of the published application (2007/0112932 A1), for example.

As stated above, Applicants recognize that paragraph [0086] of Weast mentions "volume"; however, Applicants respectfully submit that Weast fails to teach the amended limitations of claims 47 and 52.

Applicants respectfully note that paragraph [0086] of Weast states that a user provides the volume controls via the control panel interface. There is no discussion relating to "the playing device renders the streamed media content using the stored volume value transmitted from the server" as required by independent claims 47 and 52.

Furthermore, the volume controls of Weast are provided from the control panel interface, which strongly suggests that Weast teaches away from using volume controls transmitted from a media server. Moreover, Weast fails to teach or suggest any storage of the volume controls by a server for reasons discussed above with regard to independent claims 47 and 52. Accordingly, it

is respectfully submitted that rendering content using volume controls provided from a user panel control interface (Weast) is not the same as "the playing device renders the streamed media content using the stored volume value transmitted from the server" (claims 47 and 52). Weast therefore fails to teach at least this element of independent claims 47 and 52.

Applicants further submit that Runkis fails to cure the deficiencies of Weast because Runkis fails to teach or suggest sound volume information.

Therefore, for at least the reasons presented above, even if one skilled in the art were to combine the teachings of Weast and Runkis, independent claims 47 and 52 would be allowable because not all of their respective claim elements are taught or suggested. Furthermore, by virtue of their dependence from an allowable independent claim, it is respectfully submitted that claims 48, 51, 53 and 56 are also allowable over the combination of Weast and Runkis.

CONCLUSION

In light of the above remarks, Applicants submit that the present Amendment places all claims of the present application in condition for allowance. Reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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